

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

NICHOLAS SANCHEZ-GARCIA,	)	
	)	CIVIL ACTION NO.
Movant,	)	
	)	3:18-CV-2616-G (BH)
VS.	)	
	)	
UNITED STATES OF AMERICA,	)	CRIMINAL ACTION NO.
	)	
Respondent.	)	3:04-CR-0014-G

ORDER ACCEPTING FINDINGS, CONCLUSIONS AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

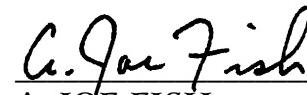
After reviewing all relevant matters of record in this case, including the findings, conclusions, and recommendation of the U.S. Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the court is of the opinion that the findings and conclusions of the magistrate judge are correct and they are accepted as the findings and conclusions of the court.

For the reasons stated in the findings, conclusions, and recommendation of the United States Magistrate Judge, the movant's successive 28 U.S.C. § 2255 motion will be **TRANSFERRED** to the **United States Court of Appeals for the Fifth**

Circuit pursuant to *Henderson v. Haro*, 282 F.3d 862, 864 (5th Cir. 2002) and *In re Epps*, 127 F.3d 364, 365 (5th Cir. 1997), by separate judgment.\*

**SO ORDERED.**

October 25, 2018.

  
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A. JOE FISH  
Senior United States District Judge

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\* A certificate of appealability (COA) is not required to appeal an order transferring a successive habeas petition. See *In re Garrett*, 633 F. App'x 260, 261 (5th Cir. 2016); *United States v. Fulton*, 780 F.3d 683 (5th Cir. 2015).